



Adults with Incapacity (Scotland) Act 2000

2000 asp 4

PART 4

MANAGEMENT OF RESIDENTS' FINANCES

44 Resident ceasing to be resident of authorised establishment

- (1) Where a resident ceases to be a resident of an authorised establishment, or ceases to be incapable, the managers of the establishment shall continue, for a period not exceeding 3 months from the date on which he ceases to be a resident or, as the case may be, to be incapable, to manage his affairs while such other arrangements as are necessary for managing his affairs are being made.
- (2) At the end of the period referred to in subsection (1) during which the managers of the establishment have continued to manage the resident's affairs, they shall prepare a statement and shall give a copy of it to—
 - (a) the resident, if he has ceased to be incapable; or
 - (b) any person who appears to them to be the person who will manage his affairs.
- (3) Where a resident ceases to be a resident of an authorised establishment and his affairs are to be managed by another establishment, authority or person (including himself) the managers of the establishment shall take such steps as are necessary to transfer his affairs to that establishment, authority or person, as the case may be.
- (4) Where a resident ceases to be a resident of an authorised establishment the managers of the establishment shall within 14 days of that event inform—
 - (a) the supervisory body; and
 - (b) where the resident has not ceased to be incapable and has moved neither—
 - (i) to another authorised establishment; nor
 - (ii) into the care of a local authority,the local authority of the area in which they expect him to reside.

Changes to legislation:

There are currently no known outstanding effects for the Adults with Incapacity (Scotland) Act 2000, Section 44.